

REMARKS***Claim Rejection - 35 U.S.C. §102***

The Examiner has rejected claims 1, 14, 17 and 30 under 34 U.S.C. 102(b) as allegedly being anticipated by either United States Patent No. 4,481,786 to Bashark or JP 61-162980. However, claims 1 and 14 were deleted in the Amendment filed May 23, 2005

Applicant has amended claim 17 to clarify the "second period of time" for which the pump is required to be stopped. Applicant has replaced "second period of time" with "second non-zero period of time" and therefore the use of the words "stopping the pump" is clearly commensurate with the other claim requirement of "stopping the pump".

Bashark requires a continuous operating of the pump until a minimum torque threshold is reached causing the drain pump operation to discontinuc. It is therefore submitted that the operation of the "water drain or pump out mode" as disclosed in Bashark does not anticipate the present invention as claimed amended step (b) of claim 17 is considered.

The Examiner has further rejected to the claims as allegedly being anticipated by JP 61-162980 to Matsushita Elect Industrial Co Ltd. Applicant has had Figure 3 of same translated. The top and middle graphs show the instantaneous on-off operation of the waste water pump and the spin tub motor respectively. The lower most graph shows the number of revolutions per minute of the spin tub motor versus time. Accordingly, only the top graph relates to the waste water pump. Clearly the pump is intermittently turned on and off but there is no indication of whether the pump stops rotating. Furthermore, there is no mention of the pump being suddenly stopped or braked as occurs in the present invention to prevent blocking of the pump. In the citation, the pump is simply intermittently energized and de-

energized so that the pump rotor will slow down before again being energized, the aim being to avoid air blockages.

Claim 17 has now been further amended to specify that "rotation of" the pump is stopped during the second period to avoid confusion with the Japanese citation which is simply de-energized but rotation does not stop. Applicant has also specified that the stoppage of the pump is "by breaking the pump". This is clearly not suggested or disclosed in the citations where the de-energized pump is not braked but instead its speed gradually decreases due to friction.

In view of the above, Applicant respectfully submits that the claims of the application are allowable over the rejections of the Examiner. Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

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